

AMENDED IN ASSEMBLY MARCH 18, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 270

Introduced by Assembly Member De La Torre

February 12, 2009

An act to amend Section 391 of the Welfare and Institutions Code, relating to dependent children.

LEGISLATIVE COUNSEL'S DIGEST

AB 270, as amended, De La Torre. Dependent children.

Existing law imposes various duties on the county welfare department at any hearing to terminate jurisdiction over a dependent child who has reached the age of majority. Among other duties, the county must submit a report verifying that certain information, documents, and services have been provided to the child including written information concerning the child's dependency case that includes any known information regarding the child's Indian heritage or tribal connections, if applicable, his or her family history and placement history, and any photographs of the child or his or her family in the possession of the department, except as specified. The documents provided must also include a letter prepared by the county welfare department that includes specified information regarding the child, *including the dates the child was within the jurisdiction of the juvenile court*, and, if applicable, a social security card, a certified birth certificate, a health and education summary, an identification card, a death certificate of parent or parents, and proof of citizenship or residence. The court is authorized to continue jurisdiction if it finds that the county welfare department has not met these requirements and that termination of jurisdiction would be harmful to the best interests of the child.

This bill would *require the county welfare department to fulfill these duties both at the court hearing closest to and before a dependent child's 18th birthday, and at the hearing to terminate jurisdiction over a dependent child who has reached the age of majority. The bill would additionally require that the documents and information, documents, and services to be provided to the child include whether the child is currently within the jurisdiction of the juvenile court, all addresses of residency while under the jurisdiction of the juvenile court, a voter registration form, and, if applicable, a United States Selective Service registration form for federal compliance. The bill would require the county welfare department to screen the child and file for the federal Supplemental Security Income (SSI) program, if the child is likely to be eligible for benefits, and to ensure that the child has received a consumer credit report, as specified.* The bill would require the court to continue jurisdiction if it finds that the county welfare department has not provided to the child the information ~~and, documents, and services~~ described above, *unless the child no longer wishes to be a dependent of the court.* By imposing additional duties on local employees, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 391 of the Welfare and Institutions Code
- 2 is amended to read:
- 3 391. (a) ~~At any~~ *the court hearing closest to and before a*
- 4 *dependent child's 18th birthday, and at the hearing to terminate*
- 5 *jurisdiction over a dependent child who has reached the age of*
- 6 *majority, the county welfare department shall do all of the*
- 7 *following:*
- 8 (1) Ensure that the child is present in court, unless the child
- 9 does not wish to appear in court, or document efforts by the county

welfare department to locate the child when the child is not available.

(2) Submit a report verifying that the following information, documents, and services have been provided to the child:

(A) Written information concerning the child's dependency case, including any known information regarding the child's Indian heritage or tribal connections, if applicable, his or her family history and placement history, any photographs of the child or his or her family in the possession of the county welfare department, other than forensic photographs, the whereabouts of any siblings under the jurisdiction of the juvenile court, unless the court determines that sibling contact would jeopardize the safety or welfare of the sibling, directions on how to access the documents the child is entitled to inspect under Section 827, and the date on which the jurisdiction of the juvenile court would be terminated.

(B) The following documents:

(i) Social security card.

(ii) Certified birth certificate.

(iii) Health and education summary, as described in subdivision (a) of Section 16010.

(iv) Driver's license, as described in Section 12500 of the Vehicle Code, or identification card, as described in Section 13000 of the Vehicle Code.

(v) A letter prepared by the county welfare department that includes the following information:

(I) The child's name and date of birth.

(II) The dates during which the child was within the jurisdiction of the juvenile court. *If the child is currently within the court's jurisdiction, this information shall also be indicated.*

(III) A statement that the child was a foster youth in compliance with state and federal financial aid documentation requirements.

(IV) All addresses of residency while under the jurisdiction of the juvenile court. *Any information specific to any other resident of those addresses, including names of other residents, shall not be indicated.*

(vi) If applicable, the death certificate of the parent or parents.

(vii) If applicable, proof of the child's citizenship or legal residence.

(viii) ~~Voter~~ A voter registration form.

(ix) If applicable, a United States Selective Service registration form *for federal compliance*.

(C) Assistance in completing an application for Medi-Cal or assistance in obtaining other health insurance; referral to transitional housing, if available, or assistance in securing other housing; and assistance in obtaining employment or other financial support.

(D) *Pursuant to Section 13757, screen the child for potential eligibility for the federal Supplemental Security Income (SSI) program and file an application on behalf of the child, if he or she is likely to be eligible for federal SSI benefits.*

(E) *Ensure that the child has received a consumer credit report pursuant to Section 10618.6.*

~~(D)~~

(F) Assistance in applying for admission to college or to a vocational training program or other educational institution and in obtaining financial aid, where appropriate.

~~(E)~~

(G) Assistance in maintaining relationships with individuals who are important to a child who has been in out-of-home placement in a group home for six months or longer from the date the child entered foster care, based on the child's best interests.

(3) The court shall continue jurisdiction if it finds that the county welfare department has not met the requirements of ~~subparagraph (B) of paragraph (2) of subdivision (a). The court may continue jurisdiction if it finds that the county welfare department has not met the requirements of subparagraphs (A), (C), (D), and (E) of paragraph (2) of subdivision (a) and that termination of jurisdiction would be harmful to the best interests of the child (a), unless the child no longer wishes to be a dependent of the court.~~ If the court determines that continued jurisdiction is warranted pursuant to this section, the continuation shall only be ordered for that period of time necessary for the county welfare department to meet the requirements of paragraph (2) of subdivision (a). This section shall not be construed to limit the discretion of the juvenile court to continue jurisdiction for other reasons. The court may terminate jurisdiction if the county welfare department has offered the required services, and the child either has refused the services or, after reasonable efforts by the county welfare department, cannot be located.

1 (b) The Judicial Council shall develop and implement standards,
2 and develop and adopt appropriate forms, necessary to implement
3 this section.

4 SEC. 2. If the Commission on State Mandates determines that
5 this act contains costs mandated by the state, reimbursement to
6 local agencies and school districts for those costs shall be made
7 pursuant to Part 7 (commencing with Section 17500) of Division
8 4 of Title 2 of the Government Code.

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